



Entered on Docket  
September 24, 2010

A handwritten signature in black ink, appearing to read "Bruce A. Markell".

Hon. Bruce A. Markell  
United States Bankruptcy Judge

Kristin A. Schuler-Hintz, Esq. SBN 7171  
Christopher Hunter, Esq. SBN 8127  
**McCarthy & Holthus, LLP**  
9510 West Sahara Avenue, Suite 110  
Las Vegas, NV 89117  
Phone (702) 685-0329  
Fax (866) 339-5691  
bknotice@mccarthyholthus.com

Attorney for: Secured Creditor, The Bank of New York Mellon f/k/a The Bank of New York as  
Trustee for the Certificateholders CWALT, Inc. Asset-Backed Certificates, Series 2004-28CB, its  
assignees and/or successors, and the servicing agent Litton Loan Servicing LP

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:	) Case No.: 09-29123-BAM
	)
Melani Schulte	) Chapter 11
William R. Schulte,	)
	) <b>ORDER ON STIPULATION</b>
Debtors.	)
	) DATE:
	) TIME:
	)

The parties agreed to the terms set forth in the Adequate Protection Stipulation filed on  
9/22/2010 as document #703 and are bound by the terms of their stipulation which shall be the  
Order of this Court.

**\*\*END OF ORDER\*\***

Kristin A. Schuler-Hintz, Esq. SBN 7171  
Christopher Hunter, Esq. SBN 8127  
**McCarthy & Holthus, LLP**  
9510 West Sahara Avenue, Suite 110  
Las Vegas, NV 89117  
Phone (702) 685-0329  
Fax (866) 339-5691

E-filed: 9/22/2010

Attorney for: Secured Creditor, The Bank of New York Mellon f/k/a The Bank of New York as  
Trustee for the Certificateholders CWALT, Inc. Asset-Backed Certificates, Series 2004-28CB, it  
assignees and/or successors, and the servicing agent Litton Loan Servicing LP

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:	) Case No. 09-29123-BAM
	)
Melani Schulte	) Chapter 11
William R. Schulte,	)
	) <b>STIPULATION FOR ADEQUATE</b>
Debtor(s).	) <b>PROTECTION</b>
	)
	) DATE: 3/2/2010
	) TIME: 9:00 AM
	)
	)

Secured Creditor, The Bank of New York Mellon f/k/a The Bank of New York as Trustee  
for the Certificateholders CWALT, Inc. Asset-Backed Certificates, Series 2004-28CB, it  
assignees and/or successors, and the servicing agent Litton Loan Servicing LP (“Secured  
Creditor”), and Debtor(s), Melani Schulte and William R. Schulte (“Debtor”) by and through  
their respective attorneys of record STIPULATE as follows:

1. This Order affects the real property commonly known as: 1392 Echo Falls Avenue, Las Vegas, NV 89123.
2. Debtor shall make monthly adequate protection payments to the Secured Creditor, and continuing on the first day of each month thereafter pursuant to the terms of the Note and Deed of Trust. Payments shall be consistent with the value set forth for the subject

property in the Motion to Value Collateral filed in Bankruptcy case 09-29123-BAM on 8/14/2010, docket #541.

3. Payments shall be based upon the determination of value of \$132,000.00, over a term of 30 years, amortized at a fixed rate of 5.00%.
4. Commencing 10/1/2010, Debtor shall make regular monthly post-petition payments to Secured Creditor in the amount of \$708.60, and continuing on the first day of each month thereafter pursuant to the terms of the Note and Deed of Trust.
5. Payments shall be made directly to:

Litton Loan Servicing, LP  
Attn: Cash Management  
4828 Loop Central Drive  
Houston, TX 77081,

with reference to the last four digits of the Loan Number 2478, or as otherwise directed.

6. The Debtor shall timely perform all of their obligations under Secured Creditor's loan documents as they come due, including but not limited to the payment of real estate taxes, maintaining insurance coverage, and any and all senior liens.
7. In the event Debtor fails to timely perform any of the obligations set forth in this Order, Secured Creditor shall notify Debtor and Debtor's counsel of the default in writing. Debtor shall have ten (10) calendar days from the date of the written notification to cure the default, plus an additional \$100.00 for attorneys' fees.
8. If Debtor fails to timely cure the default, Secured Creditor shall be entitled to lodge a Declaration of Default and an Order Terminating the Automatic Stay. The Order shall be entered without further hearing. The automatic stay shall be immediately terminated and extinguished for all purposes as to Secured Creditor and Secured Creditor may proceed with and hold a trustee's sale of the subject property, pursuant to applicable state law, and without further Court Order of proceeding being necessary, commence any action necessary to obtain complete possession of the subject Property, including unlawful detainer, if required. Upon disposition of collateral, secured collateral, secured creditor will amend or delete its Proof of Claim and provide Trustee notice of the same.

- 1 9. If Debtor defaults on the obligations set forth herein on more than three (3) occasions,  
2 Secured Creditor may lodge a Declaration and Order Terminating the Automatic Stay.  
3 The Order shall be entered without further hearing. The automatic stay shall be  
4 immediately terminated and extinguished for all purposes as to Secured Creditor and  
5 Secured Creditor may proceed with and hold a trustee's sale of the subject property,  
6 pursuant to applicable state law, and without further Court Order of proceeding being  
7 necessary, commence any action necessary to obtain complete possession of the subject  
8 Property, including unlawful detainer, if required. Upon disposition of collateral, secured  
9 creditor will amend or delete its Proof of Claim and provide Trustee with notice of the  
10 same.
- 11 10. If this case is converted to a Chapter 7 proceeding the automatic stay shall be terminated;  
12 or the automatic stay is terminated as a matter of law, the repayment terms of this Order  
13 shall immediately cease in effect and become null and void.
- 14 11. Secured Creditor's Proof of Claim is due and owing and is allowed in full.

15 IT IS SO ORDERED:

16 Submitted by:

17 McCarthy & Holthus, LLP

18 /s/ Christopher Hunter

19 Christopher Hunter, Esq.

20 9510 West Sahara Avenue, Suite 110

21 (702) 685-0329

22 bknotice@mccarthyholthus.com

23 Approved/Disapproved

24 /s/ Bryan A. Lindsey

25 Bryan A. Lindsey

26 701 E. Bridger Ave., Ste 120

27 Las Vegas, NV 89101

28 (702) 385-2741

Kristin A. Schuler-Hintz, Esq. SBN 7171  
Christopher Hunter, Esq. SBN 8127  
**McCarthy & Holthus, LLP**  
9510 West Sahara Avenue, Suite 110  
Las Vegas, NV 89117  
Phone (702) 685-0329  
Fax (866) 339-5691

Attorney for: Secured Creditor,  
The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders  
CWALT, Inc. Asset-Backed Certificates, Series 2004-28CB, its assignees and/or successors, and  
the servicing agent Litton Loan Servicing LP

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:	) Case No.: 09-29123-BAM
	)
Melani Schulte	) Chapter 11
William R. Schulte,	)
	) DATE:
	) TIME:
Debtors.	)
	) <b>CERTIFICATE OF SERVICE OF</b>
	) <b>STIPULATION FOR ADEQUATE</b>
	) <b>PROTECTION</b>
	)

**CERTIFICATE OF SERVICE**

On 9/22/2010, I served the foregoing document on the following individuals by  
electronic means through the Court's ECF program

COUNSEL FOR DEBTOR  
David A. Riggi  
darnvbk@gmail.com

**I declare under penalty of perjury under the laws of the United States of America  
that the foregoing is true and correct.**

/s/ Ciprian Scutariu  
Ciprian Scutariu

**EXHIBIT C**

On 9/21/2010, I served the foregoing document described on the following individuals by depositing true copies thereof in the United States mail at San Diego, California, enclosed in a sealed envelope, with postage paid, addressed as follows:

DEBTORS

Melani Schulte

7201 West Lake Mead Blvd # 550

Las Vegas, NV 89128

William R. Schulte

7201 West Lake Mead Blvd # 550

Las Vegas, NV 89128

SPECIAL NOTICE

5218 Misty Morning LLC

7201 W. Lake Mead Blvd.

Las Vegas, NV 89128

BAC Home Loans Servicing, LP

c/o Polk, Prober & Raphael

20750 Ventura Boulevard, Suite 100

Woodland Hills, CA 91364

BAC Home Loans Servicing, L.P. Fka

Countrywide Home Loans Servicing, L.P.

Miles, Bauer, Bergstrom & Winters

2200 Paseo Verde Parkway, Ste 250

Henderson, NV 89052

Americas Servicing Co

Attn: Bankruptcy

1 Home Campus

Des Moines, IA 50328

Countrywide home Lending

Attention: Bankruptcy CA6-919-01-41

PO Box 5170

Simi Valley, CA 93062

America's Servicing Company

c/o McCalla Raymer, LLC Bankruptcy

Department

1544 Old Alabama Road

Roswell, GA 30076

///

1 City National Bank  
2 C/O Shawn W. Miller, Esq.  
3 Shea & Carlyon, Ltd.  
4 701 Bridger Avenue  
5 Suite 850  
6 Las Vegas, NV 89101  
7  
8 Sylvester & Polednak, LTD  
9 7371 Prairie Falcon Road Suite 120  
10 Las Vegas, NV 89128  
11  
12 Litton Loan Servicing, LP  
13 P. O. Box 829009  
14 Dallas, Texas, TX 75382  
15  
16 Litton Loan Servicing, L.P.  
17 c/o McCalla Raymer, LLC  
18 Bankruptcy Department  
19 1544 Old Alabama Road  
20 Roswell, GA 30076  
21  
22 Chase Home Finance, LLC  
23 c/o Cooper Castle Law Firm  
24 820 S. Valley View Blvd.  
25 Las Vegas, NV 89107  
26  
27 BAC Home Loans Servicing, LP  
28 1757 Tapo Canyon Road  
29 Mail Stop: CA6-913-LB-11  
Simi Valley, CA 93063  
  
Bank of America  
PO Box 26237  
Las Vegas, NV 89126  
  
City National Bank  
10801 West Charleston Blvd. Suite 250  
Las Vegas, NV 89135  
  
Midland Mortgage  
Attn: Managing Agent  
PO Box 268888  
Oklahoma City, OK 73126  
  
///  
///

1 Wells Fargo Card Services  
2 PO Box 9210  
3 Des Moines, IA 50306

4 Melvin A. Elizer  
5 1405 Vegas Valley Drive #306  
6 Las Vegas, NV 89169

7 Wells Fargo  
8 c/o Kravitz, Schnitzer, & Sloane, Chtd.  
9 Attn: Jeffrey Sloane  
10 8985 S. Eastern Ave., Ste. 200  
11 Las Vegas, NV 89123

12 Bank of Nevada  
13 c/o Poli & Ball, PLC  
14 601 S. Seventh Street  
15 Second Floor  
16 Las Vegas, NV 89101

17 Bank of Nevada  
18 P.O. Box 26237  
19 Las Vegas, NV 89126

20 Shea & Carlyon, LTD  
21 Shawn W. Miller, Esq  
22 Erika M. Wright, Esq  
23 701 Bridger Avenue, Suite 850  
24 Las Vegas, NV 89101

25 Green Tree Servicing, LLC.  
26 7360 S. Kyrene Road  
27 Recovery Dept. T-120  
28 Tempe, AZ 85283

29 Hot Endeavor LLC  
7201 W Lake Mead Blvd  
Las Vegas, NV 89128

JPMorgan Chase Bank, National Association  
Malcolm Cisneros  
2112 Business Center Drive  
Irvine, CA 92612

///

///

1 Maxine Llewellyn  
2 7213 Raincloud Drive  
3 Las Vegas, NV 89145

4 Mortgage Electronic Registration Systems, Inc.  
5 C/O Snell & Wilmer L.L.P.  
6 Attn: Robert R. Kinas  
7 3883 Howard Hughes Parkway  
8 Suite 1100  
9 Las Vegas, NV 89169

10 **I declare under penalty of perjury under the laws of the United States of America**  
11 **that the foregoing is true and correct.**

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  

/s/ Hue Banh

Hue Banh